Date of Deposit: January 7, 2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Ward et al. Conf. Number: 1714

SERIAL NUMBER: 10/085,239 EXAMINER: Leslie A. Royds

FILING DATE: September 27, 2002 ART UNIT: 1614

FOR: Treatment of Hyperproliferative Diseases

Mail Stop AF

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

NOTICE OF APPEAL

Pursuant to 37 C.F.R. §1.191, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's July 7, 2009 Final Office Action rejecting the claims in the above-identified application. A fee in the amount of \$270.00 for filing this Notice is enclosed herewith as required under 37 C.F.R. §41.20(b)(1). Also included is a petition for a Three-Month extension of time and accompanying fee under 37 C.F.R. § 1.17(a)(1). In filing the request for an extension of time, the Notice of Appeal is filed timely on or before January 7, 2010.

The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. **50-0311**, Ref. No. **40409-505N01US**.

Respectfully submitted,

/ Sean M. Coughlin /

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Date: January 7, 2010